

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Applicant acknowledges with appreciation the indicated allowability of claims 2, 3, 5, 8, 9, 13, 14, 17, and 18 if rewritten in independent form. Claims 13, 17, and 18 have been amended herein to include the limitations of the base claim 11 and any intervening claims. Claims 2, 3, 5, 8, and 9 depend from claim 1, which is believed to be allowable for at least the reasons discussed herein. Accordingly, claims 2, 3, 5, 8, and 9 have not been amended. Applicant reserves the right to cast such claims into independent form at a later date, if necessary.

Claims 1, 4, 6, 7, 11, 15, and 16 were rejected under 35 U.S.C. 102(e) as being anticipated by Nagai et al. (U.S. Patent No. 6,786,187). Traversal of this rejection is made for at least the following reasons. Nagai et al. does not disclose means for *vibrating the crankcase* to mist oil from the oil reservoir to lubricate engine components, as recited in claim 1. The Examiner relies on col. 5, lines 22-55 of Nagai et al., which discloses a *coil spring 60* disposed in an oil reservoir 22 and is *suspended in a U-shape* as an auxiliary means for agitating the oil in the oil reservoir 22. Fig. 2 of Nagai et al. illustrates how the coil spring 60 is disposed within the oil reservoir 22. However, claim 1 requires means for vibrating the crankcase. The coil spring 60 of Nagai et al. does not vibrate the crankcase 23 to mist oil. Rather, the coil spring 60 of Nagai et al. vibrates the oil itself.

Because Nagai et al. does not disclose each and every limitation set forth in independent claim 1, Nagai et al. cannot anticipate claim 1 or claims 2-10, which depend therefrom. Claim 11 has been amended herein to substantially include the limitations of allowable claim 13. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1, 4, 7, 10-12, 15, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Tamba et al. (U.S. Patent No. 4,762,098). Traversal of this rejection is made for at least the following reasons. Tamba et al. does not disclose means for *vibrating the crankcase* to mist oil from the oil reservoir to lubricate engine components, as recited in claim 1. Rather, Tamba et al. merely utilizes a crank arm

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29 to stir lubricating oil in the bottom of the crank chamber 25, which results in filling of the crank chamber 25 with lubricating oil mist. Thus, the crank arm 29 of Tamba et al. is merely agitating the oil itself to produce a mist and does not operate to vibrate the crankcase to mist oil.

Because Tamba et al. does not disclose each and every limitation set forth in independent claim 1, Tamba et al. cannot anticipate claim 1 or claims 2-10, which depend therefrom. As stated above, claim 11 has been amended herein to substantially include the limitations of allowable claim 13. Accordingly, withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 35703.

Respectfully submitted,
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